

REMARKS

The present application has been objected to by the Examiner because the term "shoot" appears in the specification and claims instead of the word "chute". Applicant has amended the specification and claims as suggested by the Examiner to overcome this objection. As such, Applicant respectfully requests the Examiner to remove the objection to the specification and claims on this ground.

Claims 1, 3-4, 6-8, 10-11, 13-14, and 18-19 are pending in the present application. Claims 1, 3-4, 6, 8 and 13 have been amended and claims 2, 5, 9, 12, and 15-17 have been canceled. As set forth in detail below, Applicant believes that the pending claims of the present application are in condition for allowance.

The Examiner rejected original claims 1-6, 8-10 and 12-17 under 35 U.S.C. §102(b) as being anticipated by Nalepka (U.S. Patent No. 3,834,062) or Stafford (U.S. Patent No. 5,799,435). Claims 7, 11 and 18-19 were rejected by the Examiner under 35 U.S.C. §103(a) as being obvious and therefore unpatentable over Nalepka or Stafford in further view Campbell (U.S. Patent No. 5,802,760). Based on the amendments made to the claims and the remarks set forth below, Applicant respectfully requests the Examiner to remove the rejection of the pending claims of the present application.

Independent claim 1 of the present application has been amended to include the limitation of the automatic dispensing device comprising a minnow tray connected with a minnow tray handle. In addition, independent claim 1 has been amended to include the limitation of a dispenser chute located on a side of the bucket base that extends in a downward direction a predetermined distance in relation to the bucket base. The lid limitation has also been amended to include a first opening located on an upper surface of the lid and a second opening located on a respective side of the

lid. The minnow tray handle extends through the first opening and the second opening is aligned on a vertical axis in relation to the dispenser chute.

Nalepka discloses a minnow bucket having a perforated wall for moving minnows in the bucket toward a pair of cooperating jaws when the perforated wall is raised by a handle. The jaws receive a few of the minnows, which are then passed through an opening in the top of the bucket to a position in which the user can pass a hook through an individual minnow. The jaws are pivotally mounted in a rectangular frame. As the frame is raised through the top opening, fingers of the jaws move toward one another to close the jaws and then the minnows are raised in the jaws through the top opening.

Nalepka clearly does not disclose, teach or suggest a dispenser chute located on a side of the bucket base extending in a downward direction a predetermined distance in relation to the bucket base. Nalepka discloses a top opening in which jaws that are attached to the frame are raised to allow minnows to be dispensed. Nalepka's minnows are dispensed through a top opening and Applicant's minnow bucket dispenses minnows through the dispenser chute located on the side of the bucket base. As clearly set forth above, Nalepka does not disclose, teach or suggest the dispenser chute as claimed and disclosed in the present invention and as such, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 1 based on Nalepka.

Nalepka also clearly does not disclose, teach or suggest a lid that includes a second opening located on the side of the lid wherein the second opening is aligned on a vertical axis in relation to the dispenser chute. In the present invention, the second opening in the side of the lid allows the minnows to travel through the second opening and onto the dispenser chute. Nalepka discloses an opening in the top of the

lid and the minnows are raised through the top of the lid in the clamp. In short, Nalepka does not disclose, teach or suggest an opening in the side of the lid through which minnows are dispensed. To that end, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 1 as Nalepka does not anticipate the presently claimed invention.

Stafford discloses a live bait bucket designed to oxygenate water in which fishing bait is kept, comprising an outer bucket and an inner bucket, the space therebetween forming an annular oxygen chamber wherein gaseous oxygen is placed. A removable bait container is designed to fit within the inner bucket. Piping and a pump are provided to circulate water through a filter and back into the annular oxygen chamber, where the water is cascaded over baffles to increase the contact with the gaseous oxygen. A valve is provided to permit injection of oxygen into the annular oxygen chamber. Carrying handles may be provided both on the outer bucket and on the removable bait container.

Stafford clearly does not disclose a dispenser chute located on a side of the bucket base extending in a downward direction a predetermined distance in relation to the bucket base. In addition, Stafford does not disclose, teach or suggest a lid that includes a second opening located on the side of the lid wherein the second opening is aligned on a vertical axis in relation to the dispenser chute. To that end, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 1 as Stafford clearly does not anticipate the presently claimed invention.

Independent claim 8 has also been rejected under 35 U.S.C. §102(b) as being anticipated by Nalepka and Stafford. As with independent claim 1, independent claim 8 has been amended to include the limitation of a dispenser chute that is located on the side of the bucket base. As clearly set forth above, neither Nalepka or Stafford

disclose, teach or suggest a dispenser chute that is located on the side of the bucket base. As such, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 8.

Independent claim 8 has also been amended to include a minnow tray that includes a minnow tray opening and a plurality of guide slots that fit within a plurality of guide rails located in the bucket base. Nalepka and Stafford do not disclose, teach or suggest a minnow tray that includes a minnow tray opening and a plurality of guide slots that fit within a plurality of guide rails located in the bucket base. For this reason as well, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 8.

Nalepka and Stafford also clearly do not disclose, teach or suggest a lid that includes a second opening located on the side of the lid wherein the second opening is aligned on a vertical axis in relation to the dispenser chute of the bucket base and the minnow tray opening of the minnow tray. To that end, for this reason as well, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 8.

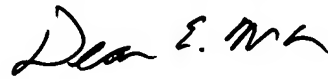
Independent claim 13 has also been rejected under 35 U.S.C. §102(b) as being anticipated by Nalepka and Stafford. Applicant has substantially amended independent claim 13 to include several of the limitations set forth above in the discussion that relates to independent claims 1 and 8. As such, for all the reasons set forth above, Applicant believes that independent claim 13 is allowable in its present form and respectfully requests the Examiner to withdraw the rejection to independent claim 13.

Dependent claims 7, 11 and 18-19 have been rejected under 35 U.S.C. §103(a) as being obvious based on the prior art of record. Dependent claims 7, 11 and 18-19

are dependent on respective independent claims 1, 8 and 13 which are believed to be allowable in their present form and as such, it follows that these dependent claims are allowable as well. For all of the reasons set forth above, Applicants respectfully request the Examiner to withdraw the rejection of these dependent claims as well.

Applicant believes that all of the present pending claims of this application are allowable and respectfully requests the Examiner to issue a Notice of Allowance for this application indicating the same. In the event a telephone conversation would help expedite the prosecution of this application, the Examiner may reach the undersigned at (317) 713-3500.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dean E. McConnell".

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